IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 3805 of 2005

Between:

M. Raj Goapl, S/o. Suryanarayana,
R/o. Arthamouru Village, Bantumilli, Krishna District.

..... PETITIONER

AND

1. The Deputy Inspector General of Police, C.R.P.F. , Jammu Range, Bantalab, Jammu (J&K),
2. The Commandant-2 Battallion, C.R.P.F., Mehrauli, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus declaring impugned orders of respondents 1 and 2 in No.R-XIII-1/2004-EC.III dt. 6.4.2004 and No. P. VIII-12/2002-EC.II Dt. 21.3.2003 respectively as illegal, arbitrary, violation of principles of natural justice and disproportionate and set aside the same and consequently direct the respondents to reinstate petitioner into service with full back wages, all consequential benefits with continuity of service.

Counsel for the Petitioner: MR.K.VENKATESWARLU

Counsel for the Respondents .: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court made the following :

THE HON'BLE SRI JUSTICE K.C. BHANU

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WRIT PETITION NO : 3805 of 2005

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ORDER:

In pursuance of the order dated 21-3-2003, the petitioner had been imposed penalty of removal of service and the same was confirmed by the Deputy Inspector of General of Police, C.R.P.F, Jammu Range, Bantalab, Jammu (J & K), dated 6-4-2004.

Admittedly, against the orders passed by the appellate authority, revision lies to the Inspector General , C.R.P.F, Jammu and Kashmir.

Therefore, without going into the merits of the case, the writ petition is disposed of directing the petitioner to avail the alternate remedy of filing a revision since it is not a case of violation of principles of natural justice or violation of any Fundamental Rights or the Authority, who passed the order, has no jurisdiction. As the petitioner has approached this court by way of filing the writ petition, some delay may take place in preferring the revision. Therefore, the revisional authority shall consider the delay, if any, sympathetically and dispose of the revision on merits.

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31-03-2005

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Copy to:

1. The Deputy Inspector General of Police,
   C.R.P.F., Jammu Range, Bantalab, Jammu (J&K)/
2. The Commandant-2 Batallion, C.R.P.F. Mehrauli,
   New Delhi.

3. Two C.D.Copies.